

Appl. No. 09/894,857  
Amdt. dated Jul. 8, 2004  
Reply to Office action of Apr. 8, 2004

### REMARKS

Claim 6, 8, 9, and 76 are canceled herein. Claims 10-51, and 77 are pending. Claims 32-51 are allowed. Pursuant to the Examiner's last Office action suggestion, Applicants have amended claims 10-22, 28-31 and 77 to include all of the limitation of the claims they depend upon including any intervening claims. Applicants respectfully request reconsideration of the pending claims.

#### Claim Rejections under 35 U.S.C. §102

The Examiner has rejected claims 6, 8, 9, 15, 31, and 76 under 35 U.S.C. §102(e) as being anticipated by Richardson et al., US 6,606,735. Applicants respectfully traverse this rejection for the following reason. Richardson only discloses the layout of two-dimensional images (drawings and electronic circuits – see abstract), however, Applicants claimed invention is directed towards microfluidic devices that are inherently three-dimensional objects that contain micro-scale and below dimensioned fluid pathways therein, wherein such pathways have a three dimensional space to contain fluid. For a reference to anticipate, it must disclose each and every element of the claimed invention, which Richardson does not. In the interest of compact prosecution, however, Applicants have canceled claims 6, 8, 9, and 76, without prejudice towards pursuing the subject matter of those claims in a continuation application. Claims 15 and 31 have been amended to depend from already allowable claims. Accordingly, the Examiner's rejection is now moot and Applicants respectfully request withdrawal of the rejection.

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### CONCLUSION

Applicants believe the claims are now in condition for allowance for the foregoing reasons and respectfully request a Notice of Allowance. Accordingly, Applicants respectfully request consideration of the claims on their merits. If, in the Examiner's opinion, a telephone conference may be helpful, Applicants' counsel may be contacted at the number below.

Presented with the highest regards  
under 37 C.F.R. §1.34(a),



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